

The City Council of the City of Cannon Falls met in a regular session on Tuesday, October 2, 2012, at 6:30 p.m. in the City Council Chambers. Present were Mayor Robby Robinson and Council Members Bill Duncan, Phil Hammes, Rodney Holst, Merlyce Johnson, Morris Mattson, and LeRoy McCusker. Also present were Aaron Reeves, City Administrator; Lanell Endres, Assistant City Administrator; Greg Anderson, City Engineer; Mike Ayres, Police Officer; and Brenda Voshalike, Ambulance Director.

Call to Order	Mayor Robinson called the City Council Meeting to order at 6:30 p.m.
Pledge of Allegiance	Mayor Robinson led in the recitation of the Pledge of Allegiance.
Approval of Amended Agenda	Council Member Johnson moved, seconded by Council Member Duncan to approve the agenda as presented. All members present voted aye. The motion was declared passed.
Public Input	There was no public input.
Consent Agenda	<p>A. Just and Correct Claims—Accounting Period Ending September 28, 2012</p> <p>B. Meeting Minutes for September 18, 2012 City Council Meeting</p> <p>C. Resolution 1981, Authorizing No Trespassing Signs</p> <p>D. MMUA Safety Management Program Contract Renewal</p> <p>E. Purchase of a New 1445 John Deere Mower</p> <p>Council Member Johnson moved, seconded by Council Member Duncan to approve the Consent Agenda as submitted. All members present voted aye. The motion was declared passed.</p>
Cable Franchise Renewal	<p>Bob Vose, attorney, Kennedy & Graven, reviewed the cable franchise renewal process and franchise terms, noting that governmental regulation assures franchise renewal unless the City can show that 1) the company has behaved poorly or 2) the City has identified needs that the company won't agree to meet. He outlined steps cities can take for renewal process:</p> <ul style="list-style-type: none"> • Hire an attorney to help negotiate terms and guide City through the process (highly recommended). • Hire an auditor to review the payments, i.e., franchise fee, PEG fee, initial grant of \$25,000 (highly recommended). • Hire a technical consultant to look at the cable plant (not highly recommended) • Bring in vendors to discuss replacement equipment cost and configuration (useful in negotiations) • Hire a survey company (not necessary here) • Hire facilitators (not necessary here)

Mr. Vose requested direction from Council in pursuing consultants and laid out areas for Council to consider:

- Community programming: Does the City have enough public access channels? (Currently has one.) Funding. Current terms are close to industry standard and increase is doubtful. City could ask for additional sites for cameras. Currently have three active. Could go to six. Move the one at the school to auditorium.
- Terms: Current franchise of 15 years has been standard. Cable companies have begun asking for shorter terms because of the possibility that the legislature may begin to take authority at the state level and remove city authority.
- Service area: If all areas are not served, pressure should be applied to Mediacom to build out to all areas of the city.

Areas of concern noted by Mayor and City Council:

- Customer service has been poor.
- Fees have been going up.
- Incomplete coverage for residents.
- Question whether there is coverage for the area of the new hospital.
- Requests for HD channels have been ignored.
- Desire for shorter contract to keep options open for competition and broadband.

Aaron Reeves, City Administrator, noted a proposal has been received from an audit company which will be reviewed at the next Cable Commission meeting and then come to the City Council. Staff recommendation was to approve the audit proposal and have vendors look at equipment upgrades. Later in the process the Cable Commission will hold a public hearing so residents can express concerns. Staff will also address areas now lacking where business could be served with high speed Internet.

Mr. Vose spoke in response to Council concerns:

- He would negotiate for a nonexclusive franchise, keeping open the possibility for competition
- Cities have authority of fees for only the basic tier rate, everything else unregulated.
- Channel selection can be negotiated but is ultimately up to the provider.
- Customer service issues can be addressed and specific new language can be written into the new agreement.
- A shorter term contract can be negotiated, although there is some concern that the Legislature could take that authority away from cities.

Mr. Vose suggested taking 6 to 12 months to look at technology and the community's need, and put that information into a written form that can be used in negotiations with Mediacom.

Resolution 1982,
Receiving
Feasibility Report
and Calling Hearing
on Improvement

Greg Anderson, City Engineer, reviewed the scope of the East Side Phase I project, which has an estimated cost of \$2,950,000. The affected property owners would be assessed 20% of the cost, with estimated per unit assessments of \$5061 and \$6396 for the two areas. Mr. Anderson noted that actual costs and assessments would be determined by final bids. If Council approved the resolution, the public hearing for improvements would be scheduled for November 8. If Council approved the improvements, plans would be developed and project put out for bids and awarded in March with project completion in October 2013.

There was discussion on the possibility of rock issues, as well as choice of water main and sewer materials. There was also discussion on the level of City debt. Mr. Reeves explained that large infrastructure projects have been done in the recent past which had incurred a large amount of debt but that about 80% of that would be paid off in five to six years. He also noted that cuts and changes have been made to other parts of the budget which had resulted in a zero increase in the levy.

Council Member Johnson moved, seconded by Council Member Bill Duncan to approve Resolution 1982 Receiving Feasibility Report and Calling Hearing on Improvements. All members present voted aye. The motion was declared passed.

County COW
Library Contract
Meeting

Aaron Reeves, City Administrator, reviewed the status of contract negotiations with Goodhue County concerning funding for Library operations, noting that the current contract expires at the end of the year. Currently, the cities subsidize the services they provide to township residents. If a new contract could not be negotiated, the current contract called for a 4% increase paid to the cities. The County had requested a Committee of the Whole meeting to be held on October 16. Each City was sending two elected officials, (one Council Member and one Library Board member) in an effort to present a unified front to the County in asking the County to pay its fair share. Staff recommended that Council select a member to attend the meeting.

Council Member Duncan moved, seconded by Council Member Johnson, to appoint Council Member Phil Hammes to attend the Goodhue County Committee of the Whole meeting. After further

discussion, all members voted aye. The motion was declared passed.

Extend Summer
Watering Credit

Aaron Reeves, City Administrator, explained that due to the extended period of dry weather, the Public Works Commission had recommended that the watering credit be extended one month through the end of October.

Council Member Johnson moved, seconded by Council Member Duncan to extend the Summer Watering Credit. All members present voted aye. The motion was declared passed.

Staff Reports

Greg Anderson, City Engineer, reported that final payoffs and punch lists should be completed for the West Side project over the next month or two.

Officer Ayres reminded the public it was homecoming week and that there was no parade this year. He noted there had been an increase in theft activity and asked residents to report any suspicious activity.

Mayor and Council
Reports

Council Member Duncan suggested the Library Board consider a fee structure to township residents. City Administrator Reeves said limiting services could be used as a negotiating tool but he hoped it wouldn't come to that.

Council Member Hammes reported hearing from people that water bills were too high. He noted water bills were increasing everywhere and some other cities have seen rates increase as much as 140-200%.

Mayor Robinson thanked the Public Works Department and City staff for the successful city cleanup event held the previous Saturday.

Adjournment

The meeting adjourned at 8:00 p.m.

Adopted by the City Council of the City of Cannon Falls on the 16th day of October, 2012.

Lyman M. Robinson, Mayor

ATTEST:

Aaron S. Reeves, City Administrator